

1999 Assembly Bill 99

Date of enactment: **May 12, 2000**  
Date of publication\*: **May 26, 2000**

# 1999 WISCONSIN ACT 156

AN ACT *to renumber* 301.45 (6) (b); *to renumber and amend* 301.45 (4) and 301.45 (6) (a); *to amend* 301.45 (2) (e) 1., 301.45 (2) (e) 2., 301.45 (2) (e) 5. and 301.45 (6) (c); and *to create* 301.45 (2) (e) 1m., 301.45 (4) (b), 301.45 (4r) and 301.45 (6) (a) 1. and 2. of the statutes; **relating to:** sex offender registration requirements for persons who are on probation, parole or extended supervision and providing a penalty.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 301.45 (2) (e) 1. of the statutes is amended to read:

301.45 (2) (e) 1. Within 10 days after the person being is placed on parole, ~~extended supervision~~, probation, supervision, aftercare supervision, conditional release or supervised release.

**SECTION 2.** 301.45 (2) (e) 1m. of the statutes is created to read:

301.45 (2) (e) 1m. If the person is being released from a prison sentence and placed on parole or extended supervision, before he or she is released.

**SECTION 3.** 301.45 (2) (e) 2. of the statutes is amended to read:

301.45 (2) (e) 2. If the person is on parole, extended supervision or probation from another state under s. 304.13 or 304.135, ~~within 10 days after~~ before the person enters this state.

**SECTION 4.** 301.45 (2) (e) 5. of the statutes is amended to read:

301.45 (2) (e) 5. If subd. 1., 1m., 2., 3. or 4. does not apply, within 10 days after the person is sentenced or receives a disposition.

**SECTION 5.** 301.45 (4) of the statutes is renumbered 301.45 (4) (intro.) and amended to read:

301.45 (4) **UPDATED INFORMATION.** (intro.) In addition to the requirements under sub. (3), ~~whenever a person who is covered under sub. (1) shall update information under sub. (2) (a) as follows:~~

(a) Except as provided in par. (b), whenever any of the information under sub. (2) (a) changes, the person shall provide the department with the updated information within 10 days after the change occurs.

**SECTION 6.** 301.45 (4) (b) of the statutes is created to read:

301.45 (4) (b) If the person is on parole or extended supervision and the person knows that any of the information under sub. (2) (a) 5. will be changing, the person shall provide the department with the updated information before the change in his or her address occurs. If the person is on parole or extended supervision and any of the information under sub. (2) (a) 5. changes but the person did not know before the change occurred that his or her address would be changing, the person shall provide the department with the updated information within 24 hours after the change in his or her address occurs.

**SECTION 7.** 301.45 (4r) of the statutes is created to read:

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\* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

301.45 (4r) RESTRICTION ON CERTAIN REGISTRANTS ESTABLISHING OR CHANGING RESIDENCE. No person covered under sub. (1) who is on parole or extended supervision may establish a residence or change his or her residence unless he or she has complied with all of the applicable requirements of subs. (2) (e), (3) (b) and (4) (b).

SECTION 8. 301.45 (6) (a) of the statutes is renumbered 301.45 (6) (a) (intro.) and amended to read:

301.45 (6) (a) (intro.) Whoever ~~intentionally fails to comply with any requirement to provide information under subs. (2) to (4)~~ does any of the following may be fined not more than \$10,000 or imprisoned for not more than 9 months or both:

(bm) Subject to s. 971.19 (9), a district attorney or, upon the request of a district attorney, the department of justice may prosecute a violation of this subsection. If the department of corrections determines that there is probable cause to believe that a person has intentionally failed to comply with any requirement to provide information under subs. (2) to (4) or has intentionally violated sub. (4r), the department shall forward a certified copy of all pertinent departmental information to the applicable district attorney. The department shall certify the copy in accordance with s. 889.08.

SECTION 9. 301.45 (6) (a) 1. and 2. of the statutes are created to read:

301.45 (6) (a) 1. Intentionally fails to comply with any requirement to provide information under subs. (2) to (4).

2. Intentionally violates sub. (4r).

SECTION 10. 301.45 (6) (b) of the statutes is renumbered 301.45 (6) (am).

SECTION 11. 301.45 (6) (c) of the statutes is amended to read:

301.45 (6) (c) Notwithstanding pars. (a) and ~~(b)~~ (am), a person who first became subject to subs. (2) to (4) under 1995 Wisconsin Act 440 and who was in prison or a secured correctional facility or a secured child caring institution, in institutional care, or on probation, parole, supervision, aftercare supervision, corrective sanctions supervision, conditional transfer or conditional release during the period beginning on December 25, 1993, and ending on May 31, 1997, shall be allowed until January 1, 1998, to comply with the requirements under subs. (2) to (4).

SECTION 12. Initial applicability.

(1) The treatment of section 301.45 (2) (e) 1., 1m., 2. and 5. of the statutes first applies to persons who are required to provide information under section 301.45 (2) (e) of the statutes on the effective date of this subsection.

(2) The treatment of section 301.45 (4) (b) of the statutes and the renumbering and amendment of section 301.45 (4) of the statutes first apply to changes of information that occur on the effective date of this subsection.

(3) The treatment of section 301.45 (4r) of the statutes first applies to an establishment or change of residence that occurs on the first day of the 2nd month beginning after the effective date of this subsection.